

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PRESIDION SOLUTIONS, INC.,

Plaintiff,

-against-

05 Civ. 7905 (GEL)

BRENTWOOD CAPITAL CORPORATION,
CHARLES J. SPINELLI, and
O. RAY McCARTHA,

Defendants.

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PLEASE TAKE NOTICE that Plaintiff Presidion Solutions, Inc., by its undersigned attorney, will move, before the Hon. Gerard E. Lynch, United States Courthouse, 500 Pearl Street, New York, New York, on August 17, 2007 at 10:00 a.m. or at such other date and time as the Court may set, for an order under FED. R. CIV. P. 60(B) vacating the July 6, 2007 order of dismissal under FED. R. CIV. P. 41(b) or, in the alternative, modifying said order to specify that the dismissal is not an adjudication on the merits.

In support of this motion, defendants rely upon the Affidavit of Frank Amodeo, Declaration of Kurt E. Thalwitzer, Declaration of Roger J. Bernstein and exhibits thereto, and the attached Memorandum of Law in Support of Motion for Relief from Order.

Dated: New York, New York
July 31, 2007

ROGER J. BERNSTEIN
Attorney for Plaintiff
331 Madison Avenue, 15th Floor
New York, New York 10017
(212) 338-9188